IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2953 OF 2006
(For Leave to Appeal)
IN
CRIMINAL APPEAL NO. OF 2006

The State of Maharashtra ..Applicant
Vs.
Shashikant Madhukar Bhalekar ..Respondent

Ms. P.H. Kantharia, APP for Applicant.
Mr. V.B. Tapkir for respondent.

CORAM: B.H. MARLAPALLE & R.S. MOHITE,JJ.

Date : March 09, 2007.

P.C.:

1. Heard Ms. Kantharia, the learned APP for the applicant-State and Mr.Tapkir the learned counsel for the respondent-original accused. Perused the Judgment and Order of the learned 6th Ad-hoc Additional Sessions Judge, Pune by which the accused has been acquitted under Section 302 but convicted under Sections 326 and 324 of IPC and sentenced accordingly.

2. We are satisfied that leave to appeal is required to be granted under Section 378(3) of Cr.P.C.

3. Hence leave is granted and appeal is admitted.

4. As the respondent-accused is already undergoing sentence, no action under Section 390 of Cr.P.C. is required to be taken by the trial court as of now.

(R.S. Mohite, J.) **(B.H. Marlapalle,J.)**